

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.11017 of 2018

ORDER:-

This writ petition is filed for the following relief:

“... to issue Writ, Order or Direction, more in the nature of Writ of Mandamus declaring the action of the 3rd respondent in not issuing the order of appointment even after declaring the petitioner as selected FP Shop Dealer on permanent basis for Shop No.34 of Kuruvapalli, H/o.Peddinenikaluva village, in Ref.No.C/717/2017, dated 15.02.2018 even after lapse of more than a month as being illegal, arbitrary and is in violation of Articles 14 and 21 of the Constitution of India, and consequently direct the respondents to immediately issue the appointment order to the petitioner forthwith, and to pass such other order or orders as are deemed fit and proper.”

Counter affidavit, deposited by the Revenue Divisional Officer/3rd respondent is filed. Paragraph No.5 of the said Counter affidavit reads as under:-

“In reply to para No.5 of the affidavit, it is submitted that the contents in this para are false and baseless. I submit that after the selection of candidates antecedents reports from the Tahasildar, Tsundupalli has been called for and the Tahsildar, Tsundupali has offered his remarks stating that Smt.V.Rama Devi, W/o.Ramachandraiah is a resident of D.No.10/32, Kuravapalli, H/o.Peddinenikalva village of T.Sundupalli Mandal and she belongs to Kurava (BC-B) caste and she studied up to Intermediate and at present she is residing at Rayachoty Mandal and her children studying

in Rayachoty village. Basing on the report of the Tahsildar, T.Sundupali, she is not eligible for F.P.Shop dealership of Shop No.34 of Kuravapalli, H/o.Peddinenikalva village of T.Sundupalli Mandal as she is residing at Rayachoty Mandal along with her children. Hence, she was not issued appointment order for further necessary action..”

In view of the above averments made in the counter affidavit at paragraph No.5, this Court deems it appropriate to dispose of the Writ Petition, with a direction to the respondents to consider the case of the petitioner herein for appointment as Fair Price Shop Dealer, as expeditiously as possible, as per law.

Miscellaneous petitions pending, if any, shall stand disposed of. There shall be no order as to costs.

Date: 18.04.2018
smr

A.V.Sesha Sai, J

